

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

PETER SHEFMAN,

Plaintiff,

v.

AMERICAN AIRLINES, INC.,

Defendant.

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Case Number 18-11477

Honorable David M. Lawson

Magistrate Judge Anthony P. Patti

**ORDER WITHDRAWING REFERENCE AND DIRECTING DEFENDANT  
TO ANSWER COMPLAINT**

On May 9, 2018, plaintiff Peter Shefman filed his *pro se* complaint and application to proceed *in forma pauperis* in this matter. On May 11, 2018, the Court approved the plaintiff's application to proceed *in forma pauperis* and referred this case to Magistrate Judge Anthony P. Patti for general case management. On June 25, 2018, attorney Danielle Cadoret filed an appearance on behalf of the plaintiff. The Court therefore finds that good cause exists to withdraw the reference to the magistrate judge. *See* 28 U.S.C. § 636(c)(4).

On July 10, 2018, the defendant filed a motion to dismiss. The motion will be scheduled for a hearing in due course. Under Federal Rule of Civil Procedure 12(a)(4), the Court may set a time for serving an answer when a motion has been served under Federal Rule of Civil Procedure 12. *See* Fed. R. Civ. P. 12(a)(4) ("Unless the court sets a different time, serving a motion under this rule alters these periods as follows. . ."); *Hill v. Blue Cross and Blue Shield of Michigan*, 237 F.R.D. 613, 617 (E.D. Mich. 2006) ("[T]his Court recognizes that Rule 12(a)(4) also provides that a court may order an answer to be filed at a time *other than* after the motion to dismiss has been denied or the court has postponed consideration of the motion.") (citing Fed. R. Civ. P. 12(a)(4)) (emphasis in original). The Court therefore will direct the defendant to file an answer to the complaint.

Accordingly, it is **ORDERED** that the order referring this matter to Magistrate Judge Anthony P. Patti for general case management [dkt. #6] is **VACATED**.

It is further **ORDERED** that the defendant must file an answer to the complaint **on or before July 31, 2018**.

s/David M. Lawson  
DAVID M. LAWSON  
United States District Judge

Dated: July 17, 2018

**PROOF OF SERVICE**

The undersigned certifies that a copy of the foregoing order was served upon each attorney or party of record herein by electronic means or first class U.S. mail on July 17, 2018.

s/Susan Pinkowski  
SUSAN PINKOWSKI